

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BYRONDA C. LEGARDYE,	)	
Plaintiff,	)	
	)	No. 22 C 1443
v.	)	
	)	Magistrate Judge Fuentes
KILOLO KIJAKAZI,	)	
Acting Commissioner of Social Security,	)	
Defendant.	)	

**JOINT MOTION FOR ENTRY OF JUDGMENT AND DISMISSAL WITH PREJUDICE**

Plaintiff, Byronda C. Legardye, and defendant, Acting Commissioner of Social Security, by and through their respective counsel, hereby move to dismiss this matter with prejudice.

On September 21, 2022, this court ordered that this case be remanded for further administrative proceedings pursuant to the sixth sentence of 42 U.S.C. § 405(g). Although the case was closed administratively on the court's docket, the court retained jurisdiction over the action. *See Shalala v. Schaefer*, 509 U.S. 292, 297 (1993). Upon consideration of all additional evidence, the Social Security Administration found in plaintiff's favor and notified her on November 18, 2022, that she was awarded monthly disability benefits as of September 1, 2019 (*see* attached decision).<sup>1</sup> The time has expired for plaintiff to file exceptions to the ALJ's decision and for the Appeals Council to review the case on its own motion. 20 C.F.R. § 416.1584. The case, therefore, is concluded.

---

<sup>1</sup> On remand, plaintiff amended her alleged onset date from March 2004 to September 2019.

Accordingly, the parties now jointly request that this court affirm the Commissioner's decision on remand and enter judgment dismissing the case with prejudice.

Respectfully submitted,

By: s/ Cody Marvin  
CODY MARVIN  
Marvin & Associates, P.C.  
630 Davis Street, Suite 300  
Evanston, IL 60201  
(847) 864-0224

JOHN R. LAUSCH, Jr.  
United States Attorney

By: s/ Danielle Anne Phillip  
DANIELLE ANNE PHILLIP  
Assistant United States Attorney  
219 South Dearborn Street  
Chicago, Illinois 60604  
(312) 886-2039  
danielle.phillip@usdoj.gov

Of Counsel:  
MONA AHMED  
Associate General Counsel

JANE KUCZEK  
Attorney  
Office of Program Litigation, Office 6  
Office of the General Counsel  
Social Security Administration  
6401 Security Boulevard  
Baltimore, Maryland 21235  
(410) 965-2327  
jane.kuczek@ssa.gov